

### **REMARKS**

This responds to the Office Action mailed on December 7, 2004. No claims are amended, canceled, or added; as a result, claims 1-23 are now pending in this application.

#### **Double Patenting Rejection**

Claims 10-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-61 of co-pending Application No. 10/177,082.

Applicant does not admit that claims are obvious in view of Application No. 10/177,082. However, a Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith to obviate these rejections.

#### **Allowable Subject Matter**

Claims 1-9 and 18-23 were allowed. Applicant acknowledges and thanks the Examiner for the indication of allowance for these claims.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6944 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

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By his Representatives,

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Date 2-1-05

By 

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of February, 2005.

KACIA LEE

Name

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Signature